

## CONFIRMATION OF ELECTION OF CLAIMS

The attorney for the applicant hereby confirms the election of Invention I, claims 1-15 and 23-15 without traverse.

## CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A temperature controlled food container comprising:
  - an inner portion having sidewalls and an opening for the receipt of food;
  - an outer portion having sidewalls spaced from said inner portion;
  - ribs along the sidewalls of said inner and outer portions, which extend sufficiently to provide displacement between said inner and outer portions;
  - a eutectic gel, disposed between said inner and outer portions;
  - a ledge extending from the periphery of said outer portion;
  - a flange extending from the periphery of said inner portion adapted for seating against said ledge; and,
  - an ultrasonic bond joining said ledge to said flange of said inner portion.

2. (Cancelled) The food container as claimed in Claim 1 further comprising:

ribs along the sidewalls of said inner portion.

3. (Cancelled) The food container as claimed in Claim 1 further comprising:

ribs along the sidewalls of said outer portion.

4. (Cancelled) The food container as claimed in Claim 1 further comprising:

ribs along the sidewalls of said inner and outer portions, which extend sufficiently to provide displacement between said inner and outer portions.

5. (Original) The food container as claimed in Claim 1 further comprising:

channels and ridges formed on said ledge or said flange for respective engagement with each other.

6. (Original) The food container as claimed in Claim 5 further comprising:

said channels are formed on said ledge for receipt of said ridges formed on said flange.

7. (Original) The food container as claimed in Claim 5 further comprising:

said channels are formed with enlarged segments, which extend beyond the cross-sectional dimension of a respective peripheral rib received therein.

8. (Original) The food container as claimed in Claim 1 further comprising:

an indentation forming a step at the base of the outer portion which can be seated at least partially into the inner portion opening.

9. (Currently Amended) A food container comprising:

an outer shell portion having a ledge extending from a wall of said shell;

an inner shell portion having a flange extending from a wall of said shell;

a eutectic gel disposed between said shell portions;

said ledge and flange adapted to be seated against each other;

a channel or a protuberance respectively formed on said ledge or said flange for receipt and engagement of said flange by said channel; and,

an ultrasonic bond formed between said flange and said ledge wherein said ultrasonic bond is formed at least in part between said channel and said protuberance.

10. (Cancelled) The food container as claimed in Claim 9 further comprising:

said ultrasonic bond is formed at least in part between said channel and said protuberance.

11. (Currently Amended) The food container as claimed in Claim ~~10~~ 9 further comprising:

said channel has enlarged portions, which are larger in cross-section than said protuberances to provide for expansion during an ultrasonic bond.

12. (Cancelled) The food container as claimed in Claim 11 further comprising:

ribs on at least said inner or outer shell portions between said shells portions.

13. (Original) The food container as claimed in Claim 9 further comprising:

said outer shell portion has a step on the base thereof for resting at least partially within said inner shell portion.

14. (Original) The food container as claimed in Claim 9 further comprising:

said channel is formed on said ledge; and,

said protuberance is formed on said flange.

15. (Original) The food container as claimed in Claim 14 further comprising:

said channel is one of a plurality formed on said ledge; and,

said protuberance is one of a plurality formed on said flange.

16. (Withdrawn) A process for making a food container comprising:

molding an outer walled shell of plastic;

molding an inner walled shell of plastic;

forming said outer walled shell with a ledge while molding said shell;

forming a flange of said inner walled shell while molding said shell;

filling said outer walled shell partially with a eutectic gel;

Implacing said inner walled shell interiorly of said outer walled shell while displacing a portion of said eutectic gel between the walls of said inner and outer shells; and,

ultrasonically welding said inner and outer walled shells between their respective ledge and flange.

17. (Withdrawn) The process as claimed in Claim 16 further

comprising:

forming a channel or a protuberance on said ledge or said flange during molding.

18. (Withdrawn) The process as claimed in Claim 17 further

comprising:

flowing a portion of said flange into said channel during the welding process.

19. (Withdrawn) The process as claimed in Claim 18 further

comprising:

forming said channel with an enlargement when molding it with a portion larger than the protuberance placed therein, and,

allowing flow during the welding process of said protuberance into said enlargement.

20. (Withdrawn) A method for making a food service container

comprising:

molding an outer walled shell portion having a ledge with at least one peripheral groove;



molding an inner walled shell portion having a peripheral flange with at least one peripheral land;

flowing a eutectic gel into said outer walled shell;

displacing said gel by said inner walled shell portion to place eutectic gel between the walls of said shells;

indexing said peripheral land into said peripheral groove; and,

ultrasonically causing said peripheral land to be bonded within said groove.

21. (Withdrawn) The method as claimed in Claim 20 further comprising:

forming gaps in said groove larger than the cross-section of said land; and,

flowing a portion of said land into said gaps.

22. (Withdrawn) The method as claimed in Claim 21 further comprising:

driving a portion of said land against a sidewall of said groove while ultrasonically bonding said inner and outer shell portions.

23. (Currently Amended) A food container for providing temperature variances from the ambient comprising:

a plastic outer shell having a peripheral ledge;

a plastic inner shell formed with a peripheral flange;

a peripheral channel or a peripheral protuberance formed on said ledge or said flange for respective engagement with each other;

a eutectic gel disposed between said shells; and,

an ultrasonic bond formed between said ledge and said flange wherein said channels and said peripheral protuberances are indexed into each other and welded substantially to each other.

24. (Original) The food container as claimed in Claim 23 further comprising:

said outer shell formed with a step for nesting at least partially into said inner shell.

25. (Cancelled) The food container as claimed in Claim 23 further comprising:

said channels and said peripheral protuberances are indexed into each other and welded substantially to each other.